

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT CHATTANOOGA

RONALD SCOTT, et al.,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	No.: 1:22-CV-308-KAC-SKL
	)	
SHERIFF MURRY BLACKWELDER, et al.,	)	
	)	
Defendants.	)	


**ORDER ADOPTING REPORT AND RECOMMENDATION**  
**AND DISMISSING ACTION**

This civil case is before the Court on United States Magistrate Judge Susan K. Lee's "Report and Recommendation" ("Report") [Doc. 11]. On December 12, 2022, pro se Plaintiff Ronald Scott filed a Complaint on behalf of himself, Carman Brown, and Frankie Brown, against members of the Lincoln County Sheriff's Department for alleged violations of Plaintiff Scott's "constitutional rights" [Doc. 1 at 3, 6]. Purported Plaintiffs Carman Brown and Frankie Brown did not sign the Complaint [*See id.* at 7]. Plaintiff Scott also filed his own "Application to Proceed in District Court Without Prepaying Fees or Costs" [Doc. 2]. Neither Plaintiff Carman Brown nor Plaintiff Frankie Brown filed an application to proceed in forma pauperis or paid the filing fee [*See* Doc. 4]. On December 28, 2022, Judge Lee gave Plaintiff Scott "an opportunity to amend his complaint" to cure various factual and legal deficiencies [*See* Doc. 7 at 4, 6-7]. Judge Lee also gave purported Plaintiffs Carman Brown and Frankie Brown an extension to submit an application to proceed in forma pauperis or pay the required filing fee [*Id.* at 8]. No Plaintiff made any filing. Accordingly, in the Report, Judge Lee recommends that this Court dismiss the Complaint without prejudice and close the case [Doc. 11 at 3]. The Court, thereafter, undertook strenuous efforts to attempt to locate Plaintiff Scott and mail a copy of the Report to him, despite the fact that he has

an ongoing obligation to update his address with the Court [*See* Doc. 15]. No Plaintiff has objected to the Report, and the time to do so has long passed [*See* Doc. 11 at 3 n.4 (providing fourteen (14) days to file any objections to the Report); *see also* Doc. 15 at 3 (providing an additional fourteen (14) days from February 27, 2023 to file any objections to the Report)]. *See* 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b)(2).

As Judge Lee analyzed in her initial December 28, 2022 Order and the Report [*see generally* Docs. 7; 11], the Complaint, even liberally construed, fails to state a claim for which relief can be granted. And Plaintiff Scott failed to amend his Complaint to cure the deficiencies that the Court identified. And purported Plaintiffs Carman Brown and Frankie Brown have failed to participate in this case. Accordingly, having reviewed the record, the Court **ACCEPTS** and **ADOPTS** Judge Lee's Report [Doc. 11] under 28 U.S.C. § 636(b)(1) and Federal Rule of Civil Procedure 72(b)(2) and **DISMISSES** the Complaint [Doc. 1] **without prejudice** under 28 U.S.C. § 1915(e)(2)(B). The Court also **DENIES** Plaintiff Scott's "Application to Proceed in District Court Without Prepaying Fees or Costs" [Doc. 2] as **MOOT**. An appropriate judgment shall issue.

IT IS SO ORDERED.

  
KATHERINE A. CRYTZER  
United States District Judge